

DEC 22 2003

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/585,714
 Filing Date May 31, 2000
 First Named Inventor Stephen P. Zadesky
 Art Unit 1732
 Examiner Name Eashoo, Mark
 Attorney Docket No. 004860.P2452

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114 – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 11, 2003
 (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other _____
- b. ☒ Checks in the amount of \$ 770.00 and 110.00 are enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Heather M. Molleur Registration No. (Attorney/Agent) 50,432
 Signature Heather Molleur Date 12/15/2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Claire Walters
 Signature Claire Walters Date 12/15/2003

Express Mail No. (only if applicable): _____

12/23/2003 SZEWDIE1 00000149 09585714

01 FC:1801 770.00 DP

12/23/2003 SZEWDIE1 00000149 09585714

02 FC:1251 110.00 DP

DEC 22 2003

(FY 2004 Begins 10/01/2003)

Complete if Known:

Application No.	09/585,714
Filing Date	May 31, 2000
First Named Inventor	Stephen P. Zadesky
Examiner Name	Eashoo, Mark
Art Unit	1732
Attorney Docket No.	004860.P2452

Applicant claims small entity status. See 37 CFR 1.27.

X Check Credit Card Money Order Other None

X Deposit Account
Deposit Account Number : 02-2666
Deposit Account Name: _____
X The Director is Authorized to do the following with respect to the above-identified Deposit Account:
X Charge fee(s) indicated below.
X Credit any overpayments.
X Charge any additional fees during the pendency of this application.
X Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.
Charge fee(s) indicated below except for the filing fee.

1. BASIC FILING FEE

<u>Large Entity</u>		<u>Small Entity</u>			
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Fee Description	Fee Paid
1001	7702001	385		Utility application filing fee	
1002	3402002	170		Design application filing fee	
1003	5302003	265		Plant filing fee	
1004	7702004	385		Reissue filing fee	
1005	1602005	80		Provisional application filing fee	
				SUBTOTAL (1)	\$ 0

		<u>Extra Claims</u>		<u>Fee from below</u>		<u>Fee Paid</u>	
Total Claims	34	- 37** =	0	X		=	
Independent Claims	2	- 3** =	0	X		=	
Multiple Dependent						=	

****Or number previously paid, if greater; For Reissues, see below.**

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	Fee Description
1202	182202	9		Claims in excess of 20
1201	862201	43		Independent claims in excess of 3
1203	2902203	145		Multiple dependent claim, if not paid
1204	862204	43		**Reissue independent claims over original patent
1205	182205	9		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 880.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Heather M. Molleur

Signature: Heather Molleur Date: 12/15/2003

Reg. Number: 50,432 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450